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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE PARCEL OF REAL ESTATE
PROPERTY LOCATED AT 9414 PLAZA
POINT DRIVE, MISSOURI CITY, TEXAS,
77459,

Defendant.

CIVIL CASE NO. 20-02013 VC

**SPECIAL AGENT KELLI C. HODGES'
DECLARATION IN SUPPORT OF THE
GOVERNMENT'S RESPONSE TO
DEFENDANT'S MOTION TO PRESERVE
EVIDENCE**

I, Kelli C. Hodges, Special Agent for the Federal Bureau of Investigation ("FBI"), United States Department of Justice, state as follows:

1. I have been employed as a Special Agent with the FBI since 2003. I am currently assigned to the San Francisco Field Office. As part of my training, I have received specific instruction in the execution of search warrants, Fourth Amendment search and seizure law, and investigative techniques. I have conducted investigations involving various criminal statutes, including, in relevant part, Title 18,

HODGES DECL. ISO RESPONSE TO CLAIMANT'S MOTION TO PRESERVE EVIDENCE
CV 20-02013 VC

1 United States Code, Section 1343 (wire fraud); Title 18, United States Code, Section 1956 (laundering of
2 monetary instruments); and other related offenses.

3 2. I make this affidavit in support of the United States' opposition to Claimant Rowland
4 Marcus Andrade's motion to preserve evidence and store it with the Court during the pendency of this
5 action. See Dkt. No. 31.

6 3. I was one of the FBI agents present during the execution of the search warrant at the NAC
7 business office on September 13, 2018. My duties as part of the team of agents executing the search
8 warrant included collection of evidence and following protocols and procedures designed to ensure
9 compliance with the requirements of the Fourth Amendment.

10 4. At no time during the search did I or, to my knowledge, any other law enforcement officer
11 conducting the search with me, physically damage any property belonging to Claimant. This includes
12 computers and other electronic devices. Moreover, at no time during the search did I or, to my knowledge,
13 any other law enforcement officer attempt to log in or otherwise access any electronic devices belonging
14 to Claimant.


15 5. To my knowledge, FBI protocol does not require agents to immediately log in to a
16 computer or other device containing readable data that is seized as part of a search warrant. Rather, upon
17 information and belief, any seized device is collected and preserved for examination by the FBI RCFL.

18 6. During the search, my fellow agents and I adhered to FBI search protocol, meaning that
19 we refrained from adding, changing, or deleting files on the seized computer, or physically damaging the
20 seized computer, among other things.

21 7. At no time before, during, or after the search did I communicate with any owner, manager,
22 or employee with the entity known as The Office Squad concerning communications with Claimant.

23 I declare under penalty of perjury that the foregoing is true and correct.

24
25 Dated: June 22, 2020


KELLI C. HODGES
Special Agent
Federal Bureau of Investigation